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**PART B - FEE(S) TRANSMITTAL**

Complete and send this form, together with applicable fee(s), to: **Mail**

JUN 04 2004

*[Signature]*

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Commissioner for Patents  
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30542 7590 03/10/2004

**FOLEY & LARDNER**  
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I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO, on the date indicated below.

<i>Line Gauthier</i>	(Depositor's name)
<i>Line Gauthier</i>	(Signature)
<i>june 2, 2004</i>	(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/905,146	07/12/2001	James E. Maynard	074022-2907	4547

TITLE OF INVENTION: OPTICAL ASSAY DEVICE AND METHOD

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1330	\$300	\$1630	06/10/2004
EXAMINER	ART UNIT	CLASS-SUBCLASS			
CHIN, CHRISTOPHER L	1641	435-007100			

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

2. For printing on the patent front page, list (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

Foley & Lardner LLP

Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.

2 \_\_\_\_\_

"Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

3 \_\_\_\_\_

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. Inclusion of assignee data is only appropriate when an assignment has been previously submitted to the USPTO or is being submitted under separate cover. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Thermo Biostar, Inc.

Louisville, Colorado

Please check the appropriate assignee category or categories (will not be printed on the patent):  individual  corporation or other private group entity  government

4a. The following fee(s) are enclosed:

4b. Payment of Fee(s):

Issue Fee

A check in the amount of the fee(s) is enclosed.

Publication Fee

Payment by credit card. Form PTO-2038 is attached.

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The Director is hereby authorized to charge the required fee(s), or credit any overpayment, to Deposit Account Number 50-0872 (enclose an extra copy of this form).

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(Authorized Signature) Richard San Pietro

(Date) June 1, 2004

Richard San Pietro, Reg. 45,071

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Alexandria, Virginia 22313-1450.

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06/07/2004 EFLORES1 00000040 500872 09905146  
01 FC:1504 300.00 OP  
02 FC:1501 1330.00 OP  
03 FC:8001 30.00 DA

TRANSMIT THIS FORM WITH FEE(S)



Atty. Dkt. No. 074022-2907

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Maynard et al.

Title: OPTICAL ASSAY DEVICE AND METHOD

Appl. No.: 09/905,146

Filing Date: 07/12/2001

Examiner: Chin, Christopher L.

Art Unit: 1641

**CERTIFICATE OF MAILING**  
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date below.

Line Gauthier  
(Printed Name)  
*Pine Gauthier*  
(Signature)  
June 2 2004  
(Date of Deposit)

**ISSUE FEE TRANSMITTAL**

Mail Stop Issue Fee  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Enclosed herewith please find Issue Fee Transmittal Form PTOL-85(B) along with a check in the amount of \$1,630.00 for payment of the Issue Fee and ten additional copies of the issued utility patent.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.18, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872.

Date June 1, 2004

Respectfully submitted,

Richard J. Warburg  
FOLEY & LARDNER LLP  
Customer Number: 30542  
Telephone: (858) 847-6722  
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By *Rich J. Warb*

Richard San Pietro  
Attorney for Applicant  
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